

To: Committee on Appeals  
Attn: Evan Moilan, ELCA Gulf Coast Synod Council President  
Attn: Michael Rinehart, Bishop of the Texas-Louisiana Gulf Coast Synod,  
Evangelical Lutheran Church in America  
Texas-Louisiana Gulf Coast Synod  
Attn: Synod 4.D—Northern Texas-Northern Louisiana Evangelical Lutheran Church in  
America (ELCA) 12941 I-45 North Freeway #210  
Houston, TX 77060-1243 E-mail: [synod@gulfcoastsynod.org](mailto:synod@gulfcoastsynod.org)

Cc: Advent Lutheran Church Congregational Council  
James Cassens, Mark Dentler, Tim Heine, Peggy Leonhardt, Leslie Holmes, Rodney  
Leonhardt Jr., Betty Louis, Terry Rodgers, Joel Vest, Shirley Taloff  
5820 Pinemont Dr, Houston, TX 77092 E-mail: [advent\\_hou@sbcglobal.net](mailto:advent_hou@sbcglobal.net)

Cc: Mark S. Hanson, Presiding Bishop Evangelical Lutheran Church in America 8765 W.  
Higgins Road, Chicago, IL 60631 Email: [info@elca.org](mailto:info@elca.org)

Fm: Charlie Dean, excluded member of Advent Lutheran Church, Houston, TX

Re: Appeal from Decisions of Ch. 15 Disciplinary Hearing on 12/20/2011  
and  
**Tim Heine's email of January 25, 2012**

Date: January 27, 2012

Dear Synod Council:

I am writing you about an email that I received from Tim Heine, the Complainant in this matter. As I understand Tim's email, he complains of what might be otherwise deemed *private facts* coming to *public disclosure* during the course of this Chapter 15 matter. Tim also complains that the Internet Archive was used.

**Tim appears to act as though being a Council officer creates a secure refuge for its members where they can meet, plan, act with impunity, use their putative bona fides of power to declare that nobody else has a *need to know*, impose censorship to accomplish this, and use the Chapter 15 disciplinary process against anybody how challenges this setup.**

Ordinarily, private facts would probably be of no public concern. However, while some of the published material may offend a reasonable person and may adversely impact one's mental or emotional well-being, I will point out that I was not the one who demanded the Chapter 15 disciplinary hearing. **Tim insisted that it to occur.**

The last time I *mass mailed* anything was July 28, 2011, four months and twenty-three days before the disciplinary hearing. Had Pastor Beck given me a private admonishment on November 29 2010, I would have attempted to avoid whatever the admonishment was for, but he gave no admonishment privately nor later when James Cassens and Mark Dentler came into the room.

In my letter to Council of 12/12/2011 at the bottom of page 4, I stated:

I am making the site inaccessible, for at least six months. I will give the Complainants the benefit of the doubt that there is some constitutional basis for a complaint. This will give the Complainants time to figure out exactly what their complaints are as they relate to Advent's governing document, and present it to me. It is possible that I will concede to their point(s). I do not understand why Complainants have not done this sooner, unless they are not in agreement amongst themselves, as it seems like such an easy thing to do.

At the hearing on December 20, 2011 Tim presented his case (1) as though mass mailings were continuing, and (2) as though the site were accessible; Tim knew both of these assertions to be false. **My point here is that Tim could have easily halted the Chapter 15 process, but he continually chose to go forward with an obvious desire to continue gaming the system.**

Tim Heine's choices show that he was determined, by hook or crook, to have the Chapter 15 hearing. Tim managed to get James Cassens, Mark Dentler, and Pastor Beck to let him skate through the Chapter 15 process. Now, after an irresponsible and superficial manner of excommunicating a member of his church, Tim appears thin-skinned and squeamish about the results. Tim's two-faced manner of gaming the system, and now complaining, is disingenuous. Nevertheless, in fairness to Tim, I want to acknowledge any and all relative merit and significance of his arguments. I encourage Tim to act consistently with rules, logic, and ethics. If Tim feels that there is anything false or misleading in any material that I have generated, I encourage him to consider the following:

- Tim may want to clarify exactly what statements he believes to be false, and show that each statement was false.
- Tim may want to show that each statement caused harm.
- Tim may want to show that each statement was made without adequate research into the truthfulness of the statement.
- As Tim is a member of Council, and more specifically the Treasurer, and a rather public and prominent member around Advent Lutheran Church-Houston, he may also want to show that each statement was made with the intent to do harm, or with reckless disregard for the truth.
- I would respectfully point out that Tim has been a driving force on Council to restrict the congregation's access to non-exempt material (especially digital material). Part of Tim's complaint involved "mass mailings" and the last time I *mass mailed* anything (as stated above) was July 28, 2011. In order to avoid further *mass mailings*, my subsequent correspondences with Council were done only with relatively few church leaders and was stored on the Internet Archive. Due to the ongoing censorship problem, the only reasonable way to make this sort of material accessible to the congregation was/is to use the Internet. The Internet Archive is the most reasonable place on the Internet to store the material and have it accessible. Church members can find it there, or they can ignore it at their option.

- Part of Tim's complaint at the hearing involved my representation of Advent's class of undesirable people (gays and lesbians). While those of us at the Chapter 15 hearing were probably not directly affected by Advent's recent decision to discriminate against this group, some members and potential members of Advent were affected, along with friends of the directly affected people. So, again, and as embarrassing as it may be, it is appropriate to have this Chapter 15 matter available on the Internet, for those who may be affected (directly or indirectly) and for others who are interested.
- Since about 10 November 1483, the birth date of Martin Luther, I find no history of anyone ever being excommunicated for representing gays and lesbians who were being discriminated against by other church members. The concept that representing such group would amount to "*conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making [or otherwise] sufficient cause for discipline of a member*" (Advent's Constitution, C15.01.) is not a convention or custom arising from long practice within the Lutheran church. Council's action on January 20, 2011 appears to be a landmark decision setting a legal precedent within the Lutheran church. The documentation relating to this situation likely comprises acts or instances that may be used as examples in dealing with subsequent similar instances. Therefore, as embarrassing as some of this may be to Tim Heine and others, this matter is surely worthy of honorable mention in the Internet Archive.
- Also as I research this matter, I see no precedent that anyone has ever been excommunicated for pointing out acts of censorship, bullying, manipulating the process, exceeding one's authority, and making it public. Again, Council's action on January 20, 2011 appears to be a landmark decision, and for similar reasons as mentioned above this merits honorable mention in the Internet Archive.

It is paradoxical that the public disclosure what Tim complains of was made necessary by his own actions and choices. As I read Tim's email (Appendix I), some questions leap out at me. I am puzzled how Tim and other church officers think that censorship, bullying, manipulating the process, and exceeding their authority can help them with "a more productive path with [their] walk with Christ", and with having a "better ... personal relationship with Christ". **I see a dismal pattern in Tim's correspondences, as he appears to justify whatever he has a hankering for by invoking the name of Christ (3 times in his brief email) and other such verbiage.**

As I read the Chapter 4. STATEMENT OF PURPOSE in Advent's Constitution, I am puzzled how such actions by Tim and other officers could in any way advance Advent's statement of purpose.

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## Appendix I

### Email from Tim Heine Wed, Jan 25, 2012 at 7:10 AM

from:	<b>Tim Heine</b> (Out of respect for Tim I am leaving out his email address, etc.)
to:	Charlie Dean
date:	Wed, Jan 25, 2012 at 7:10 AM
subject:	Your Postings
signed-by:	_____
*::	Important mainly because of the people in the conversation.

Charlie,

I just read your 1/9/12 letter on the public "Internet Archive" web site.

In it you make numerous untrue statements about me that are in definition libel.

I ask and encourage you at minimum to make clear in your publishing what are your opinions vs facts.

I'm sorry that the process didn't lead to you finding a more productive path with your walk with Christ.

Beyond all else isn't that the goal Charlie ? To better our personal relationship with Christ ?

Your brother in Christ,  
Tim